

12 KAR 2:021. Guarantees.

RELATES TO: KRS 250.491-250.631

STATUTORY AUTHORITY: KRS 250.571

NECESSITY, FUNCTION, AND CONFORMITY: KRS 250.571(1) authorizes the Director of the Agricultural Experiment Station to promulgate administrative regulations necessary for the efficient enforcement of KRS 250.491 to 250.631, regarding commercial feeds. KRS 250.521(1)(b) requires that a commercial feed label contain a guaranteed analysis stated in terms the director by administrative regulation determines are required to advise the user of the composition of the feed or to support claims made in the labeling. This administrative regulation establishes a uniform format for the expression of nutritional guarantees required as a part of the commercial feed label.

Section 1. The guarantees for crude protein, equivalent crude protein from nonprotein nitrogen; lysine, methionine, and other amino acids; crude fat; crude fiber; and acid detergent fiber shall be in terms of percentage.

Section 2. Mineral Guarantees. (1) If the calcium, salt, and sodium guarantees are given in the guaranteed analysis, the guarantee shall be stated and conform to the following:

(a) If the minimum is below two and one-half (2.5) percent, the maximum shall not exceed the minimum by more than one-half (0.5) percentage point.

(b) If the minimum is two and one-half (2.5) percent but five (5) percent, the maximum shall not exceed the minimum by more than one (1) percentage point.

(c) If the minimum is above five (5) percent, the maximum shall not exceed the minimum by more than twenty (20) percent and in no case shall the maximum exceed the minimum by more than five (5) percentage points.

(2) If stated, guarantees for minimum and maximum total sodium; minimum potassium, magnesium, sulfur, and phosphorus; and maximum fluoride shall be stated in terms of percentage. Other minimum mineral guarantees shall be stated in parts per million (ppm) if the concentration is less than 10,000 ppm and in percentage if the concentration is 10,000 ppm (one (1) percent) or greater.

(3) Products labeled with a quantity statement (tablets, capsules, granules, or liquids) shall state mineral guarantees in milligrams (mg) per unit (tablets, capsules, granules, or liquids) consistent with the quantity statement and directions for use.

Section 3. Guarantees for minimum vitamin content of commercial feeds in the following general order in the unit of measure per weight specified or expressed in terms of a quantity (tablets, capsules, granules or liquid volume) consistent with the quantity statement and directions for use shall be stated:

(1) Vitamin A, other than precursors of vitamin A, shall be stated in international units per pound.

(2) Vitamin D₃, in products offered for poultry feeding, shall be stated in international chick units per pound.

(3) Vitamin D for other uses shall be stated in international units per pound.

(4) Vitamin E shall be stated in international units per pound.

(5) Vitamin B-12 shall be stated in milligrams or micrograms per pound.

(6) All other vitamin guarantees shall express the vitamin activity in milligrams per pound for the following: menadione, riboflavin, d-pantothenic acid, thiamine, niacin, vitamin B-6, folic acid, choline, biotin, inositol, p-amino benzoic acid, ascorbic acid and carotene, except that concentrate feed additive sources used for further manufacturing purposes may, at the option of the distributor, express the vitamin guarantee in grams per pound or other unit of weight when this expression is more meaningful and consistent with its use.

(7) Concentrated oils and feed additive premixes containing vitamin A, vitamin D or vitamin E may, at the option of the distributor, state guarantees in international units per gram.

Section 4. Guarantees for drugs shall be stated in terms of percent by weight, except:

(1) Antibiotics present at less than 2,000 grams per ton (total) of commercial feed shall be stated in grams per ton of commercial feed.

(2) Antibiotics present at 2,000 or more grams per ton (total) of commercial feed shall be stated in grams per pound of commercial feed.

(3) The term "milligrams per pound" may be used for drugs or antibiotics if a dosage is given in "milligrams" in the feeding directions.

Section 5. Commercial feeds containing added nonprotein nitrogen shall be labeled as follows:

(1) For ruminants:

(a) Complete feeds, supplements, and concentrates containing added nonprotein nitrogen and containing more than five (5) percent protein from natural sources shall be guaranteed as follows: Crude Protein, minimum ____percent (this includes not more than ____percent equivalent protein from nonprotein nitrogen).

(b) Mixed feed concentrates and supplements containing five (5) percent or less protein from natural sources shall be guaranteed as follows: Equivalent Crude Protein from Nonprotein Nitrogen, minimum ____percent.

(c) Ingredient sources of nonprotein nitrogen including Urea, Di-Ammonium Phosphate, Ammonium Polyphosphate Solution, Ammoniated Rice Hulls, or other basic nonprotein nitrogen ingredients defined by the Association of American Feed Control Officials shall be guaranteed as follows: Nitrogen, minimum ____percent. Equivalent Crude Protein from Nonprotein Nitrogen, minimum ____percent.

(2) For nonruminants:

(a) Complete feeds, supplements and concentrates containing crude protein from all forms of nonprotein nitrogen from ammonium polyphosphate solution, diammonium phosphate, or mono-ammonium phosphate, shall be labeled as follows:

Crude protein, minimum ____percent.

(This includes not more than ____percent equivalent crude protein which is not nutritionally available to (species of animal for which feed is intended).)

(b) Premixes, concentrates or supplements intended for nonruminants containing more than 1.25 percent equivalent crude protein added from all forms of nonprotein nitrogen shall contain adequate directions for use and this prominent statement:

WARNING: This feed must be used only in accordance with directions furnished on the label.

Section 6. Guarantees for microorganisms shall be stated in colony forming units per gram (CFU/g) if directions are for using the product in grams, or in colony forming units per pound (CFU/lb) if directions are for using the product in pounds. A parenthetical statement following the guarantee shall list each species in order of predominance.

Section 7. Guarantees for enzymes shall be stated in units of enzymatic activity per unit weight or volume, consistent with label directions. The source organism for each type of enzymatic activity shall be specified in the format followed in this example: Protease (Bacillus subtilis) five and five-tenths (5.5) mg amino acids liberated/min./milligram. If two (2) or more sources have the same type of activity, they shall be listed in order of predominance based on the amount of enzymatic activity provided.

Section 8. Mineral phosphatic materials for feeding purposes shall be labeled with the guarantee for minimum and maximum percentage of calcium (when present), the minimum percentage of phosphorus, and the maximum percentage of fluorine. (AES-2 (1973)-4; 1 Ky.R. 999; eff. 6-11-75; Am. 23 Ky.R. 1607; 2709; eff. 1-10-97.)